

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
CASE NO. 5:21-CV-00482-BO

LANCE JAY ROBBINS, individually)
and as trustee of THE ROBBINS)
MARITAL SETTLEMENT TRUST OF)
1994, MII REALTY LLC, and BRICK)
INVESTMENT, LLC,)
)
 Plaintiffs,)
)
 v.)
)
ALTOPA, INC., MATTHEW WILSON,)
NICOLE K. WICKER, AND DOES 1)
through 10 inclusive,)
)
 Defendants.)

)

ORDER GRANTING CONSENT MOTION TO EXTEND STAY

This matter is before the Court on the motion of Plaintiff MII Realty, LLC to extend the existing stay of this action for 60 days, or until the appropriate parties have (a) substituted for Lance Robbins individually, and (b) been appointed to fill the role of Trustee for The Robbins Marital Settlement Trust of 1994, whichever is earlier. All Defendants either do not oppose or consent to the relief sought in the motion.


Having considered the motion [DE-81], the Court concludes that good cause exists and in its discretion GRANTS the motion. It is hereby ORDERED:

(a) That the existing stay is extended from December 4, 2023 through February 2, 2024 or until entry of an order on a motion to substitute the real party in interest for the late Lance Robbins, whichever is earlier;

(b) that notwithstanding the stay, when letters testamentary have been issued, the personal representative of Mr. Robbins may file a motion to substitute real party interest with supporting memorandum, and if any Defendant opposes such motion, that Defendant may file an opposition memorandum, and the representative may file a reply memorandum; and

(c) Counsel shall consult regarding an appropriate schedule to apply after the Court's order on any motion to substitute real party in interest and shall provide their joint position or respective positions at the time the motion to substitute is filed.

This the 22 day of January, 2024.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE